

**Department of Community Planning and Economic Development**  
Rezoning, Variances and Site Plan Review  
BZZ-6185

**Date:** August 26, 2013

**Applicant:** Edgar E. Hall

**Address of Property:** 304 E Lake Street, 2933-27 3<sup>rd</sup> Avenue S

**Project Name:** 304 Lake Street East Redevelopment

**Contact Person and Phone:** Daniel Oberpriller, (612) 644-4391

**CPED Staff and Phone:** Kimberly Holien, (612) 673-2402

**Date Application Deemed Complete:** August 1, 2013

**End of 60-Day Decision Period:** September 30, 2013

**End of 120-Day Decision Period:** On August 13, 2012 staff sent a letter to the applicant extending the 60-day decision period to November 29, 2013.

**Ward:** 6 **Neighborhood Organization:** Phillips West

**Existing Zoning:** C4, General Commercial district and OR2, High-density Office Residence district

**Proposed Zoning:** OR3, Institutional Office Residence district

**Zoning Plate Number:** 25

**Lot area:** 24,536 square feet

**Legal Description:** Lots 7, 8, 9, 10, Block 2, F.A. Parker/s Addition to Minneapolis, Hennepin County, Minnesota.

**Proposed Use:** Construction of a 12,236 square foot blood/plasma collection facility.

**Concurrent Review:**

- Rezoning from the C4, General Commercial and OR2, High Density Office Residence districts to the OR3, Institutional Office Residence district.
- Variance to reduce the front yard setback along 3<sup>rd</sup> Avenue S from 26.5 feet (established) to five feet.
- Variance to reduce the south corner side yard setback from 10 feet to zero.
- Variance to reduce the east rear yard setback from seven to one foot for a trash enclosure.

- Site plan review for a new 12,236 square foot building.

**Applicable zoning code provisions:** Chapter 525, Article VI Zoning Amendments; Article IX, Variances, specifically Section 525.520(1) “to vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations” and Chapter 530 Site Plan Review.

**Background:** The development site is located in the northeast corner of the intersection of E Lake Street and 3<sup>rd</sup> Avenue S. The site is comprised of three parcels. The parcel at the corner is zoned C4, General Commercial and the two parcels that front on 3<sup>rd</sup> Avenue S are zoned OR2, High-density Office Residence district. The corner parcel is currently vacant and most recently contained an automobile sales use. The parcel at 2933 contains a vacant industrial building that extends north onto the parcel at 2937 3<sup>rd</sup> Avenue S. The parcel at 2937 3<sup>rd</sup> Avenue S also contains a duplex. The applicant proposes to demolish the existing structures and construct a new 12,236 square foot blood/plasma collection facility. The applicant has applied to rezone all three parcels to OR3, Institutional Office Residence district. Blood/plasma collection facilities are a permitted use in this district.

The proposed blood/plasma collection facility, CSL Plasma, is currently located at 1026 Washington Avenue SE. This is the site of a future redevelopment project, known as WaHu, and therefore the use is looking to relocate. The use is licensed by the Food and Drug Administration and is locally regulated by the Minnesota Department of Labor and Industry for compliance with state and federal standards. The proposed facility will have 48 donor beds and will be capable of processing approximately 600 donors each day with 95 percent of the donors living within a 5-mile radius of the center. Each new donation takes approximately 100 minutes to complete and repeat donors can complete the process in 90 minutes or less. The proposed floor plan includes a large waiting room and an exit lounge for donors who are waiting for a ride or public transportation. The proposed facility will utilize the latest center design and technology to reduce the amount of time each donor spends at the center. Additional details on the proposed use and donation process are available in the attached statement from the applicant. A management plan is also attached.

Three yard variances have been requested for the project, including the front yard, rear yard and corner side yard. In the OR3 district, the front yard shall be increased where the established front yard of the closest principal building originally designed for residential purposes located on the same block face on either side of the property exceeds the front yard required by the zoning district. In such cases, the required front yard shall be not less than such established front yard. The established front yard of the residential structure to the north, along 3<sup>rd</sup> Street, is 26.5 feet. The setback of the proposed building is five feet along this frontage. A front yard setback variance from 26.5 feet to five feet has been requested. The surface parking lot is also located partially in the required yard with a front yard setback of seven feet.

The minimum corner side yard setback for uses in the OR3 district is  $8 + 2x$  where “x” equals the number of stories above the first floor. While the proposed building will function as a

single story, it is 22 feet in height and therefore two stories per the zoning code definition. The height of the building equates to a corner side yard setback requirement of 10 feet. The applicant is proposing to locate the building directly up to the south property line, along E Lake Street, and a variance to reduce the corner side yard setback from 10 feet to 0 feet has been requested accordingly.

The rear yard setback requirement in the OR3 district is  $5 + 2x$  where “x” equals the number of stories above the first floor. The required rear yard setback for the proposed building is seven feet. The trash enclosure is proposed to be located within one foot of the property line and a variance to reduce the rear yard setback from seven feet to one foot has been requested accordingly.

No correspondence was received from the neighborhood group as of the writing of this staff report. Any correspondence received will be forwarded on to the Planning Commission for consideration.

**REZONING:** (from OR2, High-density Office Residence district and C4, General Commercial district to the OR3, Institutional Office Residence district)

**Findings as required by the Minneapolis Zoning Code:**

**1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

*The Minneapolis Plan for Sustainable Growth* identifies this site as Mixed Use on the future land use map. Lake Street is a commercial corridor in this location. According to the Principles and Policies outlined in the comprehensive plan, the following apply to this proposal:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.
- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.**

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

**Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.**

1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

**Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.**

1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

1.5.2 Facilitate the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood.

**Land Use Policy 1.10: Support development along Commercial Corridors that enhances the street’s character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.**

1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low-impact light industrial – where compatible with the existing and desired character.

**Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.**

1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.

**Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of**

The site is also within the study area of the *Midtown Minneapolis Land Use and Development Plan*. Said plan identifies this site as an opportunity area and calls for high-intensity office and/or commercial development on the property. The site is located in the I-35W Urban Development District in the small area plan. It was recognized by the Steering Committee that the I-35W area from Blaisdell to Third Avenue, with its promise of improved accessibility, would result in additional traffic exiting the freeway and, traveling east and west along Lake Street. In order to meet an identified objective of reducing travel demand within the study area, it would be important to locate major trip generators within close proximity to the interchange. Thus, the I-35W area was identified as an urban development district, where large-scale redevelopment could take place and would benefit from improved accessibility. The following policies of the *Midtown Minneapolis Land Use and Development Plan* apply to the site:

- It was determined that office commercial and mixed use (commercial/ retail and commercial/residential) development were preferable in the I-35W Urban Development District.
- High intensity, commercial office development in the northeast quadrant of I-35W/Lake Street or mixed residential, green space with commercial located on Lake Street (mixed use could include appropriate intensity industrial land use);
- Office, retail, and residential land uses that would be conveniently located, predominantly along Lake Street, the primary commercial corridor, and along the Midtown Greenway;
- The development of high intensity uses at the nodes, both along Lake Street and the Midtown Greenway, should contribute to the study area's continued development as a "growth center." Existing health care facilities along Chicago Avenue form the backbone of the medical corridor, and new businesses in Midtown could spin-off from these facilities;
- Living wage employment for local residents is a key objective for future development. The plan calls for office development in the I-35W Urban Development District, where office uses would agglomerate and benefit from proximity to businesses in the existing medical corridor and Wells Fargo campus.

The proposed rezoning to OR3 is consistent with the *Midtown Minneapolis Land Use and Development Plan* and *The Minneapolis Plan for Sustainable Growth*. The OR3, Institutional Office Residence district is established to provide a mixed use environment of very high density dwellings, large office uses, and major institutions, with additional small scale retail sales and services uses designed to serve the immediate surroundings. This district supports comprehensive plan policies that call for high-density residential development on Commercial Corridors and the small area plan policies that call for large scale, high-intensity office or commercial redevelopment in this area. While the proposed building is not a mixed use building, the zoning would be in place to allow such development should the site be redeveloped or added to in the future.

**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

A rezoning to the OR3 district would be considered in the interest of both the property owner and the public as it would allow for large scale office/commercial development at the intensity called for in the small area plan. The rezoning would also allow for the redevelopment of a site that has been vacant and underutilized and most recently used as an automobile sales use. The proposed redevelopment project also eliminates a situation where an industrial building significantly encroaches onto a residential parcel.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

The surrounding area contains a mix of uses and zoning districts. The property to the east is zoned C2 and contains a retail use. The property to the west, across 3<sup>rd</sup> Avenue S, is also zoned C2 and contains a fast food restaurant with a drive through. The properties to the north are zoned OR2 and contain low to medium density residential uses. The properties to the south across E Lake Street are zoned C1 and contain various commercial uses. The proposed OR3 zoning would be appropriate in this location and compatible with existing uses of property in the general vicinity.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

There are reasonable uses of each parcel allowed under the current zoning. The current C4 zoning at 304 E Lake Street would allow for the proposed blood/plasma collection facility. However, the three parcels cannot be redeveloped as one zoning lot without a rezoning application. The proposed development plan shows parking at the rear of the proposed building, on the two parcels with OR2 zoning. Parking for a use in the C4 district cannot be provided in an OR2 district. Planning Staff has included an attachment to the staff report which further details the differences between the existing and proposed zoning classification for the site.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

Under the 1963 Zoning Code, all three properties were zoned M1-4, Light Manufacturing district. The parcels at 2933-37 3<sup>rd</sup> Avenue S were later rezoned to R2B. In 1983, the current property owner submitted an application to restore the properties back to the M1-4 zoning districts to keep the use at the time, Flour City Welding, a conforming use. That rezoning back to M1-4 was approved. The parcel at 304 E Lake Street was zoned C4 under the 1999 zoning code. After the adoption of the *Midtown Minneapolis Land Use and*

*Development Plan* (approved December 23, 2005) a rezoning study was conducted in the area. As part of that rezoning study, the parcels at 2933-37 3<sup>rd</sup> Avenue S were rezoned to OR2. The parcel at 304 E Lake Street was not rezoned at that time. The rezoning that occurred after the adoption of the small area plan did not spur the type of redevelopment that the plan envisioned. The proposed rezoning to OR3 would align with those adopted policies and allow for redevelopment of the site.

**VARIANCE: (to reduce the required west front yard setback from 26.5 feet to 5 feet)**

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

In the OR3 district, the front yard shall be increased where the established front yard of the closest principal building originally designed for residential purposes located on the same block face on either side of the property exceeds the front yard required by the zoning district. In such case, the required front yard shall be not less than such established front yard. The established front yard of the residential structure to the north, along 3<sup>rd</sup> Street, is 26.5 feet. The setback of the proposed building is five feet along this frontage. A front yard setback variance from 26.5 feet to five feet has been requested. The surface parking lot is also partially located in the required yard with a front yard setback of seven feet.

Practical difficulties exist in complying with the ordinance. The proposed building placement at the corner of Lake Street and 3<sup>rd</sup> Avenue S is consistent with urban design policies that call for buildings to reinforce the street wall on a commercial corridor. The proposed building location will also allow for opportunities for patrons to observe adjacent public spaces by providing a significant amount of glass coverage. These circumstances are unique to the property and have not been created by the applicant. The building is 100 feet from the residential structure to the north. The portion of the parking lot that is located in the required front yard has a setback of 7.5 feet from the front lot line and that area contains a significant amount of landscaping.

**2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The request to allow a reduced setback along the west property line is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan. In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The urban design policies of the comprehensive plan also address this issue in calling for building placement to allow light

and air into the site and surrounding properties. The building is designed in a manner that would allow for adequate access to light and air for the subject site and the adjacent property and would provide an adequate separation of uses. The proposed structure is located 100 feet away from the residential property to the north. The urban design policies of the comprehensive plan also call for traditional urban form and buildings to be oriented to the street to foster safe and successful commercial corridors. The proposed building placement reinforces these policies.

**3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The surrounding area contains a mix of commercial, institutional and residential uses. Several other commercial uses in the immediate area are built up to the front property lines. As such, the proposed setback would not alter the character of the locality or be injurious to the use and enjoyment of adjacent properties. The proposed setback would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties.

**VARIANCE: (to reduce the south corner side yard setback from 10 feet to zero)**

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The minimum corner side yard setback for uses in the OR3 district is  $8 + 2x$  where “x” equals the number of stories above the first floor. While the proposed building will function as a single story, it is 22 feet in height and therefore two stories per the zoning code definition. The height of the building equates to a corner side yard setback requirement of 10 feet. The applicant is proposing to locate the building directly up to the south property line, along E Lake Street, and a variance to reduce the corner side yard setback from 10 feet to 0 has been requested accordingly.

Practical difficulties exist in complying with the ordinance due to adopted policies that call for buildings to be located up to the corner to reinforce the street wall. The only other structure on this block face is also located up to the south property line adjacent to E Lake Street. The proposed building location allows for traditional urban form to continue along this commercial corridor. These circumstances are unique to the property and have not been created by the applicant.



**2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The request to allow the building wall to be located up to the south property line is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan. In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The urban design policies of the comprehensive plan also address this issue in calling for building placement to allow light and air into the site and surrounding properties. The proposed building location would allow for adequate access to light and air for the subject site and the adjacent property and would provide an adequate separation of uses. The proposed structure is located 100 feet away from the residential property to the north. The urban design policies of the comprehensive plan also call for traditional urban form and buildings to be oriented to the street to foster safe and successful commercial corridors. While the south property line is technically a corner side, it functions like a front yard due to the frontage along E Lake Street. The proposed building placement reinforces the urban design policies.

**3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The surrounding area contains a mix of commercial, institutional and residential uses. The building directly east of the site on the same block is also located up to the property line, as are most of the commercial buildings along E Lake Street. Therefore, the proposed setback would not alter the character of the locality or be injurious to the use and enjoyment of adjacent properties. Similarly, the proposed setback would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties.

**VARIANCE: (Variance to reduce the east rear yard setback from seven to one foot for a trash enclosure.)**

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The rear yard setback requirement in the OR3 district is  $5 + 2x$  where “x” equals the number of stories above the first floor. The required rear yard setback for the proposed building is seven feet. The trash enclosure is proposed to be located within one foot of the property line

and a variance to reduce the rear yard setback from seven feet to one foot has been requested accordingly. The building will be 15 feet from the rear property line.

Practical difficulties exist in complying with the ordinance. The proposed location is the most practical location for the trash enclosure as trash pick-up occurs from the alley. Placing the trash enclosure within the parking area in a manner that meets the rear yard setback would result in the reduction of parking spaces and have a greater impact on the residential property to the north. These circumstances are unique to the property and have not been created by the applicant.

**2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The request to allow a reduced setback along the east property line for the trash enclosure is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan. In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The urban design policies of the comprehensive plan also address this issue in calling for building placement to allow light and air into the site and surrounding properties. The proposed refuse storage container is only 240 square feet in area and six feet in height, resulting in no impact on access to light, air and open space. The proposed area for the refuse storage container provides a significant separation from both the residential property to the north and Lake Street.

**3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The property to the east, across the alley, contains a commercial use with a trash enclosure that is also located right up to the alley. The proposed enclosure is 115 feet away from the closest residence and will not have any adverse off-site impacts related to the location. The building wall in this location is located 15 feet from the rear lot line to allow a large landscaped yard, and is only 240 square feet in area and six feet in height. As such, the proposed setback would not alter the character of the locality or be injurious to the use and enjoyment of adjacent properties. The proposed setback would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties.

**SITE PLAN REVIEW**

**Required Findings for Site Plan Review**

**A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**

**B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

**Section A: Conformance with Chapter 530 of Zoning Code**

**BUILDING PLACEMENT AND DESIGN:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
- Residential uses:
  - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
    - a. Windows shall be vertical in proportion.
    - b. Windows shall be distributed in a more or less even manner.
  - Nonresidential uses:  
Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
    - a. Windows shall be vertical in proportion.
    - b. Windows shall be distributed in a more or less even manner.

- c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
- d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
- e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
- f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

Minimum window area shall be measured as indicated in section 531.20 of the zoning code.

- **Ground floor active functions:**  
Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

The building will be located directly up to the property line along E Lake Street and five feet from the property line adjacent to 3<sup>rd</sup> Avenue. The area between the building and the public sidewalk along 3<sup>rd</sup> Avenue S will contain a significant amount of landscaping that includes trees and shrubs. The placement of the building and the building design will promote natural surveillance and visibility of the surrounding area. The primary entrance is on the south elevation, facing E Lake Street. This entrance is recessed approximately two feet and further emphasized with a canopy. The entrance opens directly to the public sidewalk. A second door is located on this elevation that is intended as an emergency exit only. Another secondary entrance is located on the west elevation, facing 3<sup>rd</sup> Street and the staff entrance is located on the north elevation adjacent to the surface parking lot.

All of the parking proposed for the use would be located on the north side of the site. While this is technically in the side yard, E Lake Street functions like the front of the building and the parking area is entirely behind the building in that sense.

The east elevation contains one section of blank wall that exceed 25 feet in length. There is a 32-foot section of blank wall on the north end of the east elevation. Alternative compliance is required for this design and staff does not recommend granting alternative compliance to allow the blank wall. This section of the building will be visible from the alley and from Clinton Avenue. As a condition of approval, the applicant shall be required to provide a

material change, recess, projection or other architectural element to break up the length of this wall and provide visual interest.

Plain face concrete block is not proposed as an exterior material.

The primary exterior materials would be durable and include burnished block, metal panel, glass and fiber cement (Hardie) panel. On the south elevation, the applicant is proposing fiber cement for 39.75 of the total wall area. On the west elevation, fiber cement is proposed for 34.21 percent of the total wall area. Staff recommends that the amount of fiber cement on the street-facing elevations be limited to a maximum of 30 percent, consistent with past practice. A condition of approval has been added accordingly. Please note, exterior material changes at a later date may require review by the Planning Commission and an amendment to the site plan review.

The window requirement for the first floor of this non-residential building is 30 percent for the elevations that face a public street or on-site parking lot. This requirement applies to the E Lake Street (south) elevation, the 3<sup>rd</sup> Avenue (west) elevation and the north elevation. Glass is provided for approximately 63.5 percent of the first floor of the south elevation, as measured between two feet and ten feet above grade. On the west elevation, facing 3<sup>rd</sup> Avenue, glass is provided for 43 percent of the total wall area as measured between two feet and ten feet. On the north elevation, facing the parking lot, there is 64 square feet of glazing (7.5 percent) that counts toward meeting the minimum window requirements. There is an additional 63 square feet of glazing that does not count toward the minimum requirement due to the height of these windows. Alternative compliance is requested for the minimum window requirement on this elevation. Staff recommends granting alternative compliance, on the condition that a minimum of three 4' x 4' clerestory windows be added to this elevation. As a condition of approval, no shelving, signage, merchandise, newspaper racks or other similar fixtures shall be allowed in front of the required ground level transparent windows to ensure that views in and out of the building are preserved.

The first floor of the building contains active functions for more than 70 percent of each street-facing elevation.

The proposed roofline is flat, consistent with other commercial buildings in the area.

**ACCESS AND CIRCULATION:**

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lit, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.
- Site plans shall minimize the use of impervious surfaces.

The primary building entrance will open directly onto the public sidewalk adjacent to E Lake Street. The other non-primary entrances will also open directly to the public sidewalk. A 6-foot wide walkway is located on the north side of the building that extends to the public sidewalk, connecting the parking area to the primary entrance and the staff entrance.

There is an existing transit shelter located on the south side of the building, within the public right-of-way. No modifications are proposed to this existing transit shelter as part of the project. A departure lounge is located within the building in an area near the bus shelter. While not required as part of the PDR process, staff recommends that the applicant explore relocating the bus shelter in such a way as it would create a wider, unobstructed pedestrian zone within the public sidewalk adjacent to E Lake Street.

Vehicles will access the parking lot from 3<sup>rd</sup> Avenue S. The proposed curb cut is 24 feet in width. The applicant is also showing a connection from the parking lot to the public alley. However, as part of the Preliminary Development Review process Public Works has recommended that this alley access be closed due to the residential uses on this block. CPED staff concurs with this recommendation and a condition of approval will be attached to the site plan review application accordingly. The site plan review chapter prohibits alley access for any non-residential use over 4,000 square feet that is located on a block containing residential uses. With this modification, traffic circulation will be designed in a manner that minimizes conflicts with pedestrians and adjacent residential uses. A loading zone is proposed within the right-of-way on 3<sup>rd</sup> Avenue S. This loading zone is subject to Public Works review and approval.

All building entrances are connected to the public sidewalk directly or with walkways a minimum of four feet in width to clearly direct pedestrian movements.

The applicant is proposing a fairly significant amount of landscaping to minimize the amount of impervious surface on site. The proposed landscaping exceeds the minimum requirement of 20 percent by 1,330 square feet.

#### **LANDSCAPING AND SCREENING:**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
  - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - A decorative fence.
  - A masonry wall.
  - A hedge.
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**

- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

The zoning code requires that at least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 24,563 square feet. The building footprint is 12,236 square feet. The net lot area is 12,300 square feet, of which at least 20 percent (2,460 square feet) must be landscaped. The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 5 and 25 respectively.

The applicant is proposing 3,790 square feet of landscaping on site, equivalent to 30.8 percent of the site not occupied by building. The landscape plan includes nine on-site canopy trees, nine ornamental trees, 111 deciduous shrubs, 34 evergreen shrubs and 264 perennials. A total of 360 plants are also proposed within the rain gardens located in the perimeter areas on the east and west sides of the surface parking lot. The amount of landscaping proposed exceeds the minimum requirements for the site.

The parking lot requires a landscaped yard a minimum of seven feet in width with screening a minimum of three feet in height and 60 percent opaque between the parking area and the street. A landscaped yard seven feet in width and 95 percent opaque is required between the parking lot and the residential use to the north. On the west side of the parking lot, adjacent to 3<sup>rd</sup> Avenue S, a 7-foot landscaped yard is provided with plantings that are a minimum of three feet in height. The juniper shrubs proposed in this location will also achieve the required opacity. Along the north property line, between the parking lot and the residential use to the north, a landscaped yard 10-feet in width is proposed. The screening in this landscaped yard consists of deciduous shrubs and a solid wood fence. A 10-foot landscaped yard with landscaping a minimum of three feet in height and 60 percent opaque is also proposed between the parking lot and the alley. With the requested closure of the alley access, staff recommends that the curb cut be replaced with a landscaped yard a minimum of five feet in width with the required screening. Five feet will allow adequate room for vehicle maneuvering while still providing a landscaped buffer. The property across the alley from the north half of the site has OR2 zoning. Therefore, a seven foot landscaped yard is required in this location. Staff recommends granting alternative compliance to reduce the width of the landscaped yard from seven feet to five feet in this location to allow for vehicle maneuvering.

Each row of parking contains one space that is further than 50 feet from the center of an on-site deciduous tree. Staff does not recommend granting alternative compliance for this requirement. A deciduous tree will be required in the landscaped yard on the north side of the parking area to comply with this requirement.

One tree is required for each 25 linear feet of parking or loading area lot frontage. The parking area has 60 feet of frontage on 3<sup>rd</sup> Avenue S, requiring two trees. Two canopy trees are proposed in this location.

**ADDITIONAL STANDARDS:**

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
  - Natural surveillance and visibility
  - Lighting levels
  - Territorial reinforcement and space delineation
  - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Breaks in the concrete curbing are proposed on the east end of the parking lot to allow for stormwater to be partially retained in the proposed rain gardens. The remainder of stormwater from the site will flow into the City's stormwater facilities. Provisions for stormwater were reviewed by Public Works as part of the PDR process and that report is attached for review.

The building should not impede any views of important elements of the city.

The building is proposed at a height of 22 feet and is not expected to have any shadowing impacts on adjacent properties.

Wind currents should not be a major concern for this building.

The development would include crime prevention through environmental design. The applicant has provided a significant amount of window coverage facing 3<sup>rd</sup> Avenue S and Lake Street E to provide opportunities for tenants and patrons to observe adjacent spaces. Walkways are provided to guide pedestrian movement in and around the site.



The site is not historically designated nor is it located within a historic district.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council**

**ZONING CODE** - The blood/plasma collection facility is a permitted use in the OR3 district.

**Off-Street Parking and Loading:**

*Minimum automobile parking requirement:* The minimum vehicle parking requirement for blood/plasma collection facilities is one space per 500 square feet of gross floor area in excess of 4,000 square feet. The proposed 12,236 square foot building requires 16 parking spaces. The off-street parking area on the north side of the building contains 23 parking stalls, exceeding the minimum requirement.

*Maximum automobile parking requirement:* The maximum parking requirement for the use is one space per 200 square feet of gross floor area. For this 12,236 square foot building, the maximum is 61 spaces. The 23 spaces proposed are within the parameters allowed.

*Bicycle parking requirement:* There is no minimum bicycle parking requirement for blood/plasma collection facilities. However, staff observations of the existing facility have found that the use has a fairly high bike parking demand. The applicant is proposing eight bicycle parking spaces in the right-of-way adjacent to 3<sup>rd</sup> Avenue S. Staff recommends that a minimum of 16 bicycle parking spaces be provided to satisfy the demands of the users. Bike racks in the right-of-way shall require an encroachment permit from Public Works.

*Loading:* The use is not subject to a minimum loading requirement. A loading space is shown in the right-of-way along 3<sup>rd</sup> Avenue S. The applicant's management plan states that shipping and receiving will occur a few times per week with supplies loaded/unloaded through the loading area in the northwest corner of the building. The proposed on-street loading space requires Public Works review and approval.

**Dumpster screening:** Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The refuse storage contained is proposed on the east side of the building adjacent to the alley. The proposed screening meets the applicable requirements.

**Signs:** In the OR3 district, one square foot of wall signage is permitted for each one linear foot of primary building wall if a freestanding sign is also present. If no freestanding signs are proposed, the amount of wall signage is increased to 1.5 square feet of signage per one foot of primary building wall. The maximum height of a wall sign is 14 feet and the

maximum area for a single wall sign is 180 square feet. No signage is proposed on the east elevation at this time. Separate permits are required from the Zoning Office for any signage on site.

**Lighting:** A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535 of the zoning code and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

**Maximum Floor Area:** The maximum floor area ratio for office uses in the OR3 district is 3.5. The applicant is proposing a 12,236 square foot building on a 24,536 square foot lot, resulting in a floor area ratio of .498.

**Minimum Lot Area:** There is no minimum lot area requirement for the use.

**Dwelling Units per Acre:** There are no dwelling units proposed as part of the project.

**Height:** The proposed single story building is within the height parameters allowed in the district.

**Yard Requirements:** The applicant has requested variances to the required yards and staff is recommending approval, as evaluated above.

**Building coverage:** Principal and accessory structures shall not cover more than seventy (70) percent of any zoning lot located in the office residence districts. The building footprint on this 24,536 square foot lot is 12,236 square feet, equivalent to 49.8 percent of the lot area.

**Impervious surface area:** The maximum impervious surface limitation in the OR3 district is 85 percent. The site is 84.6 percent impervious, within the parameters allowed.

**Specific Development standards:** The use is subject to specific development standards, as follows:

*Blood/plasma collection facility.*

1. Trash receptacles shall be located at the public entrance(s), and the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

*Staff comment:* A trash receptacle is proposed at the primary entrance and the management plan states that employees will conduct periodic inspections of the parking lot and surrounding areas for trash.

2. The facility shall include a waiting area and departure lounge of a size large enough to accommodate all donors within the building, but not less than five hundred (500) square feet in area.

*Staff comment:* The facility includes a waiting area and departure lounge. The waiting/queuing area is approximately 1,300 square feet in area and will be able to accommodate all donors within the building.

3. The operator shall submit a management plan for the facility and a floor plan showing the waiting area and departure lounge and number of donor beds.

*Staff comment:* The applicant has submitted a management plan that address daily operations, the donation process, security, waste management, hours of operations, community relations and other policies. Said management plan has been attached for reference.

### **MINNEAPOLIS PLAN**

Please see the rezoning section of this report.

### **SMALL AREA PLANS**

In addition to the land use policies outlined above, the following policies of the Midtown Minneapolis Plan apply to the project:

Future development should occur in harmony with the following:

- Parking lots associated with new development should be located in back (to the rear) of buildings and never on corners. Landscaping should be provided to provide a buffer between parking lots and residential uses that may be across the alley;
- Parking lots should be well lit at night, and rear entrances to buildings should be provided so parkers are not forced to walk to the front of the building to gain entry;
- Parking should be conveniently located near non-residential uses but visibly minimized from Lake Street and public spaces.

*Staff comment:* The parking lot is proposed on the north side of the building, screening the parking area from E Lake Street. The parking lot is landscaped and screening in accordance with the requirements of the Site Plan Review chapter. An employee entrance is proposed on the back side of the building, adjacent to the parking lot. The general public will use the primary entrance facing E Lake Street.

The pedestrian realm should include the following:

- A clear pedestrian passageway, free of encroachment by landscape features, utilities, street furniture or other obstructions;

- Appropriate pedestrian amenities such as outdoor seating, bus waiting area, trash receptacles, public art, and plantings;
- For projects located at intersections, the design treatment provided for the pedestrian realm should be continued around the corner and an appropriate transition provided between the project improvements and the adjacent properties;
- Outdoor recreational furnishings, community amenities, public gathering places, trees and other plantings should be provided, where appropriate;

*Staff comment:* The site has an existing bus shelter and staff is encouraging the applicant to explore options for relocating said bus shelter in a manner that provides more clearance in the pedestrian zone. Trash receptacles and plantings are proposed in the public realm.

Private Realm Design and Appearance:

- At least fifty percent of the ground floor façade of a commercial building should be devoted to transparent windows and/or doors;
- The form of mixed use or other infill buildings and architectural details should be designed to create visual interest at the street level using techniques such as staggering the frontage of the building, recessing doors and windows, providing varied display windows, awnings and canopies for weather protection and scale, and visually extending interior spaces outside through paving and glazing;

*Staff comment:* As calculated per the Site Plan Review standards, 63.5 percent of the first floor of the south elevation, as measured between two feet and ten feet above grade consists of glass. On the west elevation, facing 3<sup>rd</sup> Avenue, glass is provided for 43 percent of the total wall area as measured between two feet and ten feet. Additional glazing is provided on both elevations at a height greater than 10 feet.

**ALTERNATIVE COMPLIANCE**

**The Planning Commission may approve alternatives to any site plan review requirement upon finding any of the following:**

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this**

**chapter.**

**Alternative compliance is requested by the applicant to meet the following standards:**

The east elevation contains one section of blank wall that exceed 25 feet in length. There is a 32-foot section of blank wall on the north end of the east elevation. Alternative compliance is required for this design and staff does not recommend granting alternative compliance to allow the blank wall. This section of the building will be visible from the alley and from Clinton Avenue. As a condition of approval, the applicant shall be required to provide a material change, recess, projection or other architectural element to break up the length of this wall and provide visual interest.

On the north elevation, facing the parking lot, there is 64 square feet of glazing (7.5 percent) that counts toward meeting the minimum window requirements. There is an additional 63 square feet of glazing that does not count toward the minimum requirement due to the height of these windows. Alternative compliance is requested for the minimum window requirement on this elevation. Staff recommends granting alternative compliance, on the condition that a minimum of three 4' x 4' clerestory windows be added to this elevation.

Each row of parking contains one space that is further than 50 feet from the center of an on-site deciduous tree. Staff does not recommend granting alternative compliance for this requirement. A deciduous tree will be required in the landscaped yard on the north side of the parking area to comply with this requirement.

With the requested closure of the alley access, staff recommends that the curb cut be replaced with a landscaped yard a minimum of five feet in width with the required screening. Five feet will allow adequate room for vehicle maneuvering while still providing a landscaped buffer. The property across the alley from the north half of the site has OR2 zoning. Therefore, a seven foot landscaped yard is required in this location. Staff recommends granting alternative compliance to reduce the width of the landscaped yard from seven feet to five feet in this location to allow for vehicle maneuvering

**RECOMMENDATIONS:**

**Recommendation of the Department of Community Planning and Economic Development for the rezoning from OR2, High-density Office Residence district and C4, General Commercial district to the OR3, Institutional Office Residence:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from OR2, High-density Office Residence district to OR3, Institutional Office Residence district for the properties at 2933-37 3<sup>rd</sup> Avenue S, and rezoning from the C4, General Commercial district to OR3, Institutional Office Residence district for the property at 304 E Lake Street.

**Recommendation of the Department of Community Planning and Economic Development for the variance to reduce the required west front yard setback from 26.5 feet to five feet:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and approve the application for a variance to reduce the required west front yard setback from 26.5 feet to five feet for the properties at 2933-37 3<sup>rd</sup> Avenue S and 304 E Lake Street.

**Recommendation of the Department of Community Planning and Economic Development for the variance to reduce the south corner side yard setback from 10 feet to zero:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and approve the application for a variance to reduce the south corner side yard setback from 10 feet to zero for properties at 2933-37 3<sup>rd</sup> Avenue S and 304 E Lake Street.

**Recommendation of the Department of Community Planning and Economic Development for the variance to reduce the east rear yard setback from seven feet to one foot:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and approve the application for a variance to reduce the east rear yard setback from seven feet to one foot for the properties located at 2933-37 3<sup>rd</sup> Avenue S and 304 E Lake Street.

**Recommendation of the Department of Community Planning and Economic Development for the site plan review:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission approve the site plan review application for a blood/plasma collection facility on the properties 304 E Lake Street and 2933-37 3<sup>rd</sup> Avenue S, subject to the following conditions:

1. All site improvements shall be completed by August 26, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED Staff review and approval of the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. No shelving, signage, merchandise, newspaper racks or other similar fixtures shall be placed in front of the required ground level transparent windows.

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4. The east elevation shall be revised to include a material change, recess, projection or other architectural element to eliminate any blank walls in excess of 25 feet, in compliance with Section 530.120 of the zoning code.
5. The amount of fiber cement on the street-facing elevations shall be limited to a maximum of 30 percent.
6. A minimum of three 4' x 4' clerestory windows shall be added to the north elevation, in accordance with Section 530.120 of the zoning code.
7. The alley access shall be closed in accordance with Section 530.150 of the zoning code.
8. A landscaped yard a minimum of five feet in width with plantings a minimum of three feet in height shall be provided in lieu of the curb cut to the alley.
9. An additional deciduous tree shall be required within the parking area so that all parking spaces are within 50 feet of the center of an on-site deciduous tree, in compliance with Section 530.170 of the zoning code.
10. A minimum of 16 short-term bicycle parking spaces be provided on-site or within the right-of-way adjacent to the site.

**Attachments:**

1. Statement of findings and project description
2. Management plan
3. PDR report
4. Correspondence
5. Zoning map
6. Rezoning matrix
7. Site plan, floor plans and elevations
8. Photos